

**A REGULAR MEETING
OF
THE PUBLIC SERVICE COMMISSION**

1. A Regular Meeting was called to order by Chair Dallas Winslow in the Hearing Room, 861 Silver Lake Boulevard, Dover, Delaware, on Tuesday, July 30, 2013, at 1:00 p.m. with the following Commissioners in attendance: Jeffrey Clark, Joann Conaway, and Jaymes Lester.

The following Staff members were in attendance: Alisa Bentley, Julie Donoghue, Esquire, Janis Dillard, Robert Howatt, Patricia Davis-Oliva, Esquire and Octavia Woodard.

2. CONSENT AGENDA ITEMS:

Commissioner Conaway moved to adopt the following Consent Agenda items.

- a. IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 DEL. C. §203C (FILED JULY 12, 2013) – PSC DOCKET NO. 13-CPCN-04 (“33815 CLAY ROAD”)

Commission to consider Staff Memorandum and Order No. 8421.

- b. IN THE MATTER OF THE APPLICATION OF HESS ENERGY MARKETING, LLC FOR A CERTIFICATE TO PROVIDE ELECTRIC SUPPLY SERVICES WITHIN THE STATE OF DELAWARE (FILED MAY 28, 2013) - PSC DOCKET NO. 13-209

Commission to consider Staff Memorandum and Order No. 8425.

- c. IN THE MATTER OF THE APPLICATION OF AMERICAN POWER PARTNERS, LLC FOR A CERTIFICATE TO PROVIDE ELECTRIC SUPPLY SERVICES WITHIN THE STATE OF DELAWARE (FILED MAY 29, 2013) - PSC DOCKET NO. 13-215

Commission to consider Staff Memorandum and Order No 8426.

- d. IN THE MATTER OF THE APPLICATION OF COMMUNITY ENERGY, INC. FOR A CERTIFICATE TO PROVIDE ELECTRIC SUPPLY SERVICES WITHIN THE STATE OF DELAWARE (FILED MAY 31, 2013) - PSC DOCKET NO. 13-219

Commission to consider Staff Memorandum and Order No. 8427.

Commissioner Lester seconded the motion; the motion carried unanimously.

3. REGULAR AGENDA ITEMS:

- a. IN THE MATTER OF THE ADOPTION OF RULES AND REGULATIONS TO IMPLEMENT THE PROVISIONS OF 26 DEL. C. CH. 10 RELATING TO THE CREATION OF A COMPETITIVE MARKET FOR RETAIL ELECTRIC SUPPLY SERVICE (OPENED APRIL 27, 1999; RE-OPENED JANUARY 7, 2003; RE-OPENED SEPTEMBER 22, 2009; RE-OPENED SEPTEMBER 7, 2010; RE-OPENED JULY 17, 2012) - PSC REGULATION DOCKET NO. 49
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Julie Donoghue, Deputy Attorney General appeared on behalf of Staff.

David Bonar appeared on behalf of the Division of the Public Advocate.

Ms. Donoghue stated that proposed Order No. 8424 approves the publication of proposed amended rules for certification and regulation of electric suppliers and establishment of the deadline for comments on the proposed amendments. She noted that there have been three workshops, that this order will go to the Registrar of Regulations to notice the public that the Commission intends to adopt the proposed regulations and that there will be a public hearing on the proposed revisions October, 22, 2013. A Hearing Examiner has not yet been appointed.

David Bonar stated that the Public Advocate had no comments.

Commissioner Clark commented that a lot of good work has been put forth. Though, there were a couple of things to note. One is that the verbal authorization in Section 5.1.4 needs to be reviewed for missing words. Also, it limits the duration of the initial contract, but once renewed it may become a cramming and slamming issue.

A motion was made by Commissioner Clark and seconded by Commissioner Conaway to adopt Order No. 8424; the motion carried unanimously.

A verbatim transcript was made of the proceeding.

4. DIRECTOR'S COMMENTS:

Robert Howatt announced that there will be an IRP workshop tomorrow with Delmarva Power at 10:00 a.m. He also mentioned that correspondence regarding the new telecommunications legislation has been finalized and 195 letters were sent out.

There was no further business and the meeting adjourned at approximately 1:05 p.m.

Respectfully submitted,

/s/ Alisa Carrow Bentley
Secretary